



JRW
DAC/10

Docket No. 0575/55873/JPW/JCS/PJS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees: Ann Marie Schmidt and David Stern

Patent No.: 7,081,241 B1

Issued: July 25, 2006

Serial No.: 09/167,705

Filed: October 6, 1998

For: EXTRACELLULAR RAGE BINDING PROTEIN (EN-RAGE) AND
USES THEREOF

1185 Avenue of the Americas
New York, New York 10036
May 11, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

**COMMUNICATION CONCERNING FEE DEFICIENCY IN ACCORDANCE WITH 37
C.F.R. §1.28(c)**

This Communication is submitted in accordance with 37 C.F.R. §1.28(c). According to 37 C.F.R. §1.28(c), if status as a small entity was established in good faith in a patent application, and it is later discovered that such status was established in error, the error will be excused upon a submission notifying the U.S. Patent Office of the error, itemizing the amount of the deficiency in the fee paid, and paying the fee deficiency.

Accordingly, patentees hereby notify the U.S. Patent and Trademark Office that small entity status was established in good faith at the time of paying the issue fee for the subject patent, but was later discovered to have been in error. Patentees note that the basic issue fee of \$650.00 in response to the June 6, 2003 Notice of Abandonment and Fee(s) Due was paid on September 8, 2003. However, the U.S. Patent and Trademark Office

05/17/2007 SLUANG1 00000002 09167705

01 FC:1461

700.00 OP

Patentees: Ann Marie Schmidt and David Stern
U.S. Patent No.: 7,081,241 B1
Issued: July 25, 2006
Page 2

erroneously issued a Notice of Abandonment on October 29, 2003 in connection with the subject patent. In response, patentees filed a Petition under 37 C.F.R. §1,181(a) to withdraw Holding of Abandonment on December 24, 2004, which was granted on June 2, 2005. Patentees were credited \$650.00 for the basic issue fee paid September 8, 2003.

On March 22, 2005, patentees filed a Petition to Withdraw From Issue under 37 C.F.R. §1.313(c)(2) along with a Request for Continued Examination in order to submit a Supplemental Information Disclosure Statement.

A second Notice of Allowance and Fee(s) Due was issued December 16, 2005 indicating a basic issue fee due in the amount of \$50.00, which reflected the new small entity basic issue fee amount of \$700.00 minus the \$650.00 credit for the basic issue fee previously paid.

In accordance with 37 C.F.R. §1.28(c)(2), a check for the fee deficiency in the amount of \$700.00 is enclosed. In accordance with 37 C.F.R. §1.28(c)(2)(ii), an itemization of the deficiency in the fee paid follows:

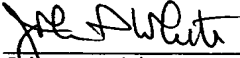

Fee	Small Entity Amount Paid	Date Paid	Current Fee at Large Entity Rate	Amount of Fee Deficiency Owed
Basic Issue Fee	\$700.00 (\$650.00 + \$50.00)	\$650.00 paid on September 8, 2003 \$50.00 paid on January 23, 2006	\$1400.00	\$700.00

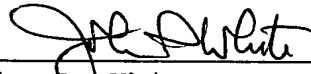
Patentees: Ann Marie Schmidt and David Stern
U.S. Patent No.: 7,081,241 B1
Issued: July 25, 2006
Page 3

Total Amount Due: \$700.00

No fee, other than the enclosed \$700.00 fee deficiency payment, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
 John P. White Reg. No. 28,678	 Date


John R. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. No. (212) 278-0400